



IN 13010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)
)
Petcavich, Robert J.)
)
Serial No.: **10/633,207**)
) **Art Unit: 1761**
)
Filed: **August 1, 2003**)
) **Examiner: Jyoti Chawla**
)
For: **PROCESS AND COATING COMPOSITION FOR**)
EXTENDING THE SHELF LIFE OF POST)
HARVEST PRODUCE)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

This is in response to the Restriction Requirement mailed April 5, 2006, for which a one-month period for reply was set.

Restriction to the following Claims under 35 U.S.C. § 121 is traversed:

- I. Claims 1-6, drawn to a process of preservation of fresh produce,
- II. Claims 7-11, drawn to a composition for preservation of fresh produce.

Claims in Group I and Group II, are said to be distinct from each other because of “(1) the process for using the product as claimed can be practiced with another materially different product or (2) the product as claimed can be used in a materially different process of using that product.”

Applicant submits that even if the process and the product claimed in Group I and Group II, respectively, are distinct from each other, there is no serious burden

associated with the examination of the application due to the fact that polyvinylidene chloride aqueous emulsion and a process of using such emulsion can be searched and examined jointly, and the Examiner is respectfully requested to withdraw the restriction requirement.

Applicant provisionally elects Group I, claims 1-6, for prosecution on the merits.

No payment is believed to be due; however, the Commissioner is hereby authorized to charge USPTO deposit account 09-0425 any payment due and to credit any overpayment thereto.

Respectfully submitted,

Robert J. Petcavich

May 1, 2006
(Date)

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I hereby certify that this correspondence is being deposited with sufficient postage thereon with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 2, 2006.

Linda A. Komorewski

May 2, 2006
Date of Signature